REMARKS

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering this application.

Status of Claims

Claims 1-11 are pending in this application. Claims 1 and 6 are independent. The remaining claims depend, directly or indirectly, from claim 1 or 6.

Information Disclosure Statements

Acknowledgement and entry of the references cited in the IDS ' filed January 12, 2007 and March 21, 2007 is respectfully requested.

Rejection(s) under 35 U.S.C. § 103

Claims 1-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,787,225 issued to Honjo ("Honjo") in view of U.S. Patent No. 6,925,042 issued to Nakajo ("Nakajo") in further view of U.S. Patent No. 6,961,510 issued to Proidl ("Proidl") in further view of U.S. Patent No. 5,784,518 issued to Oguro ("Oguro"). For the reasons set forth below, this rejection is respectfully traversed.

One or more embodiments of the present invention are directed to a method and apparatus for high-speed reproduction (*i.e.*, playback) of digital video information previously recorded on a recoding medium (*e.g.*, a DVD) (*see* Publication of the Specification, Abstract). In one or more embodiments of the invention, when high-speed reproduction is initiated, video information previously recorded on a DVD is reproduced for a number of frames at the designated high-speed reproduction rate, followed by the reproduction of video information for a number of frames at a normal reproduction rate. This process continues until high-speed

reproduction of the digital video data is interrupted, for example, by a user (*see, e.g.*, Publication of the Specification, paragraphs [0028]-[0030]). Reproduction according to one or more embodiments of the claimed invention is easier to understand for a user than standard high-speed reproduction (*see, e.g.*, Publication of the Specification, paragraphs [0047]-[0048]).

Accordingly, independent claim 1 requires, in part, "a control unit configured to control the expansion unit, when the high speed reproduction key is operated, to reproduce the compressed video and audio data for a number of frames corresponding to the n-fold speed, alternating with reproducing the compressed video and audio data in one of a normal speed and a two-fold speed for a predetermined number of frames." Independent claim 6 requires, in part, "controlling the expanding, when a high speed reproduction for reproducing the compressed video and audio data in n-fold (where $n \geq 3$) speed is selected, to reproduce the compressed video and audio data for a number of frames corresponding to the n-fold speed, alternating with reproducing the compressed video and audio data in one of normal speed and two-fold speed for a predetermined number of frames."

The Examiner alleges that Oguro teaches a control unit for high speed reproduction that provides compressed video and audio data for the number of frames corresponding to n-speed (*see* Office Action dated September 24, 2007, at page 4). However, even assuming *arguendo* that Oguro teaches the control unit as alleged by the Examiner, in contrast to independent claims 1 and 6, Oguro fails to show or suggest at least alternating with reproducing the compressed video and audio data in one of a normal speed and a two-fold speed for a predetermined number of frames.

In fact, Oguro teaches that one part of consecutive frames/fields among a predetermined number of frames/fields is displayed either at a normal speed or high speed. In other words, Oguro teaches the normal speed reproduction and high speed reproduction individually. Therefore, Oguro clearly does not show or suggest alternating with reproducing the compressed video and audio data in one of a normal speed and a two-fold speed for a predetermined number of frames.

Specifically, Oguro teaches that, "images of continued N frames or N fields at intervals of M frames or M fields . . . are displayed," or that, "images of L frames or L fields as part of M frames or fields are displayed" (*see* Oguro, column 2, lines 17-27 and lines 36-46). Further, as shown in Figures 1(a) and (b) of Oguro, which are relied upon by the Examiner, Oguro teaches that N frames of each M frame are connected, and the connected N frames are displayed at a normal speed. For example, images of frames or fields, 0, 1, 2, . . . 18, 19, 1000, 1001, 1002, . . . 1018, 1019, 2000, 2001, 2002, . . .2018, 2019, 3000 . . .are displayed (where M=1000 and N=20) (*see* Oguro, column 2, lines 25-28 and Figures 11 and 12). One skilled in the art would readily recognize that this is a normal speed reproduction in that N frames or N fields are displayed without any intervals. On the other hands, Figures 13 (a) and (b) of Oguro teaches, for example, 10 and 20 frames at intervals of 2 frames, which are extracted from every 1000 frames, are displayed. One skilled in the art would readily recognize that this is a high-speed reproduction in that 10 and 20 frames at intervals of 2 frames are displayed. That is, Oguro clearly teaches the normal speed reproduction and high speed reproduction individually. Therefore, Oguro necessarily cannot show or suggest, "alternating with reproducing the compressed video and audio data in one of a normal speed and a two-fold speed for a predetermined number of frames," as required by independent claims 1 and 6.

In addition, Honjo, Nakajo, and Proidl, fail to show or suggest that which Oguro lacks. In fact, as explained in a previous Response dated April 27, 2007, the apparatus of Honjo reproduces signals at the normal speed and at the high-speed separately. Nakajo is completely silent with respect to high-speed reproduction, as required by the claimed invention. Reproduction device 1 of Proidl simply chooses one speed for reproducing according to a recording speed during the recordation of the reproduction data on the tape (*see* Proidl, Abstract). Applicant notes the previous rejection of claims 1-11 under 35 U.S.C. § 103(a) as being unpatentable over Honjo in view of Nakajo in further view of Proidl has been withdrawn in the notice of panel decision from Pre-Appeal Brief Review dated July 10, 2007.

Moreover, Applicant respectfully asserts that there is no suggestion or motivation that would enable one skilled in the art to turn to this combination of references to achieve the claimed invention. Recently, the Supreme Court issued its opinion on *KSR v. Teleflex. KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727 (2007). Although finding the teaching-suggestion-motivation test too narrow to be applied in a determination test for obviousness, the court underscored the importance of viewing the obviousness through the eyes of one skilled in the art. Thus, even in view of *KSR Int'l Co. v. Teleflex, Inc.*, "[a]n obviousness determination is not the result of a rigid formula disassociated from the consideration of the facts of a case. Indeed, the common sense of those skilled in the art demonstrates why some combinations would have been obvious where others would not." *KSR Int'l Co. v. Teleflex, Inc.*, 127 S.Ct. 1727, 167 L.Ed.2d 705 (April 30, 2007). As discussed above, all the cited references are completely silent with respect to the above features required by independent claims 1 and 6. Therefore, clearly, the

combination of references used by the Examiner to reject the claims of the present application is not a combination that one skilled in the art would turn to in arriving at the present invention.

Finally, the Applicant respectfully submits that the Examiner, using the present application as a guide, has selected isolated features of the various relied-upon references to arrive at the limitations of the claimed invention. Use of the present application as a "road map" for selecting and combining prior art disclosures is wholly improper. *See* MPEP § 2143; *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1138 (Fed. Cir. 1985) (stating that "[t]he invention must be viewed not with the blueprint drawn by the inventor, but in the state of the art that existed at the time"); *In re Fritch*, 972 F.2d 1260, 1266 (Fed. Cir. 1992) (stating that "it is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious . . . This court has previously stated that 'one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.'"); *In re Wesslau*, 353 F.2d 238, 241 (C.C.P.A. 1965) (stating that "it is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art").

In view of above, Honjo, Nakajo, Proidl, and Oguro, whether taken separately or in combination, fail to show or suggest the invention as recited in independent claims 1 and 6. Thus, independent claims 1 and 6 are patentable over Honjo, Nakajo, Proidl, and Oguro. Dependent claims are allowable for at least same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591, Reference 04995/121001.

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Respectfully submitted,

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